

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE BANK OF NEW YORK MELLON TRUST	:
COMPANY, NATIONAL ASSOCIATION, TRUSTEE	:
FOR THE REGISTERED CERTIFICATE HOLDERS OF	:
MORGAN STANLEY CAPITAL I INC.,	:
COMMERCIAL MORTGAGE PASS-THROUGH	:
CERTIFICATES SERIES 2007-IQ14, ACTING BY AND	:
THROUGH C-III ASSET MANAGEMENT LLC, AS	:
SPECIAL SERVICER,	: 11 Civ. 0505 (CM)(GWG)
	:
Plaintiff,	: <b>NOTICE OF MOTION</b>
	: <b><u>FOR SUMMARY JUDGMENT</u></b>
-against-	:
	:
MORGAN STANLEY MORTGAGE CAPITAL, INC.,	:
	:
Defendant.	:
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**PLEASE TAKE NOTICE** that, upon the accompanying Declaration of Timothy J. Pastore, dated September 21, 2012, and the exhibits annexed thereto, the Local Civil Rule 56.1 Statement of Material Facts, the accompanying Memorandum of Law, and all prior pleadings and proceedings herein, plaintiff The Bank of New York Mellon Trust Company, National Association (hereinafter the “Trustee” or “Plaintiff”), as trustee for the registered certificate holders of Morgan Stanley Capital I Inc., Commercial Mortgage Pass-Through Certificates Series 2007-IQ14 (the “Trust”), acting by and through C-III Asset Management LLC, as Special Servicer (the “Special Servicer”), will move this Court before the Honorable Colleen McMahon, at the United States Courthouse, 500 Pearl Street, New York, New York, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment to Plaintiff on each of the two counts asserted in the First Amended Complaint, dated June 30, 2011, and for such other relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE**, that pursuant a Stipulation and Order, dated May 23, 2012, Defendant shall serve opposition papers, if any, by or before October 23, 2012 and Plaintiff shall serve reply papers, if any, by or before November 13, 2012.

Dated: September 21, 2012  
New York, New York

DUVAL & STACHENFELD LLP

By: //S// Timothy J. Pastore  
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